

**Consolidated Report to the Assistant Administrator
Office of Land and Emergency Management
Office of Emergency Management
For the Week ending October 9, 2019**

Items Requiring AA Signature/Approval/Concurrence

AL-19-000-1425: Request an update on the EPA's capacity and specific efforts to respond to heightened and foreseeable environmental and public health risks that natural disasters pose to lower income communities. (McEachin +44) Due December 13. External OEM review ECD: unk

AX-19-000-4651: Chemical Safety Board Request for EPA to initiate a review and update for the 1993 Hydrofluoric Acid Study. (Kulinowski) Due: Aug 21. Sent to OLEM IO June 12. **Closed 10/8**

AL-19-000-6922: CONCERNS RE: RISK OF THE CONTINUED USE OF HYDROGEN FLUORIDE/ REQUEST TO RE-EVALUATE REFINERY RMPs. (Baldwin +4) Due August 6. Sent to OLEM IO Aug 21. ECD: unk. **Sent to OCIR for review 10/8.**

AX-19-000-6575 and 7363: Reading File - Ban on Hydrofluoric Acid in Refineries. (PEER) Due August 6. ECD: September 10. Coordinating response with OSCPP.

AX-19-000-7979: Reading File - Recommendations for Promoting Environmental Regulation on Aboveground Storage Tanks. (NEJAC) Due October 8. Drafting response.

OA&E-FY18-0266: *EPA Needs to Improve Its Emergency Planning to Better Address Air Quality Concerns During Future Disasters.* (OIG) Response to Draft Due August 23, 2018. Extension granted September 9, 2019. **Exit conference held 9/26.**

OA&E-FY18-0109: *EPA Needs to Improve Management of Homeland Security and Emergency Response Equipment.* (OIG) Waiting on final document from OIG.

AA Level Hot Topics

Nothing to Report

Last Week Highlights (No Action Required)

Chemical, Biological, Radiological, and Nuclear-Consequence Management Advisory Division (CMAD)

AnCOR Venue Visits

- CMAD and NHSRC visited the Southwest Research Institute's (SWRI) Urban Test Facility, Dugway Proving Ground (DPG), and Fort Pickett last week. These sites are being considered as venues for the wide area demonstration as part of the Analysis for Coastal Operational Resiliency (AnCOR) program. These venues are also being considered for the Biological Agent Work Group and Chemical Warfare Agent Work group training that will be conducted in March 2020. POC: Shannon Serre, (919)-541-3817.

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American Industrial Hygiene Association Emergency Response App

- On Friday, October 4, 2019, the Emergency Response Planning Committee for the American Industrial Hygiene Association (AIHA) conducted a meeting to advance the development of a smart app for delivery of the AIHA's Emergency Response Planning Guidelines (ERPGs). Issues included: revenue generation; inclusion of other Limits (i.e., AEGLs, TEELs, etc.) to the app; emulation of WISER; and potential integration with WISER or NIOSH Pocket Guide. Meetings will be monthly. POC: Leroy Mickelsen or April Luke.

Preparedness and Response Operations Division (PROD)

New Continuity of Operations (COOP) Facility Orientation Session

- On October 3, the PROD Continuity Team provided an orientation session to Headquarters Emergency Relocation Group (ERG) members at our new building at Mount Weather. The orientation consisted of a tour of the facility, discussion of building operation and standard operating procedures for the EPA COOP space, and connectivity and communications tests for the ERG members. This was the first of two orientation sessions held in October. Additional sessions are being planned upon request from senior leaders at Headquarters.

Regulations Implementation Division (RID)

Nothing to Report

Resource Management Division (RMD)

Nothing to report

Upcoming External Engagements (next 14 days)

FEMA Nation State Threat Workshop Out-brief, October TBD, Washington, D.C.: The purpose of this workshop is to bring together a small group to discuss threat and vulnerabilities that would inform the response community. The Office Director and/or Deputy Office Director will attend.

2019 National Response Team Member Monthly Meeting, October 31, Washington, D.C.: The meeting includes all federal departments and agencies with equity in emergency responses. Co-chaired by the USCG and OEM.

Freedom of Information Act Case Status (updates highlighted in yellow; Awareness Notification Process in red)

#	Case Number	Requester	Subject	Date Due/ECD	Next Steps
1.	EPA HQ 2019 004395	Leckner	I am formally appealing the case findings. So this is the formal email for that. EPA-HQ-2019-003690 (OIG)	Date Due: 4/18 ECD: Extended to June 2020	eDiscovery search completed with approximately

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			Please send me all my epa.gov SKYPE messages of EPA.GOV and all emails of me (to and from) and all tracking system data which I entered. You can send via FTP, email (zipped), etc - no need to print them to save trees.		15000 potentially responsive documents. Extension request pending. New request for all emails From: Lecker to Campbell in May 2018; and tickets.
2.	EPA R6 2019 004387	Fox	Please provide reports and photo/video from any ASPECT flights over the ITC Facility near Deer Park, Texas during period March 15, 2019 to March 20, 2019. Please include a denial log and a PBI index.	Date Due: 10/23	Record search/review.
3.	EPA HQ 2019 008004	I Metro (Leckner)	This relates and is a continuation to the EPA FOIA request: EPA-HQ-2019-007858. (JIRA change logs)	Due Date: 9/9 ECD: Unk	Record search/review
4.	EPA HQ 2019 007286	I Metro (Leckner)	Please provide all and any documents which relates EPA OLEM EMP systems running on the EPA NCC that refer to CSC personnel. Since CSC and SRA, which became CSRA, which is now General Dynamics, had the NCC operations responsibilities. I allege that CSC/SRA/CSRA/GDIT are the ones responsible for major cybersecurity violations of critical nature where all systems are damaged/shut down.	Date Due: 8/13 ECD: Unk	POC Notification and clarification of search criteria. Search submitted to Relativity 8/8.
5.	EPA HQ 2019 006433	Merrick	Touhy request for Erik Leckner v. General Dynamics Information Technology f/k/a CSRA, LLC and Apex Systems, LLC	Date Due: 7/10 ECD: Unk	This request added 19000 documents to the ED_004395 workspace. Working on interim releases per requester. Supplemental request for additional document submitted 9/30.
6.	EPA HQ 2019 004835	Leckner	EMP project costs.	Date Due: 5/16/18 ECD: Extended to 9/30	Interim release 7/17. Working on interim releases per the requester. Review for closure.

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7.	EPA HQ 2018 007135	Smith	Any and all records from January 21, 2017 to the present, related to EPA's "Guidance": "CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms	Date Due: 5/30/18 ECD: In litigation (2021)	Record review ongoing; 1000 docs/month per court order. Next interim release NLT 10/26.
8.	EPA HQ 2013 006544 and EPA HQ 2013 009384	Guarino	My request sought any and all presentations and letters to outside organizations regarding optimization and late phase cleanup after a dirty bomb, improvised nuclear device or nuclear power plant incident generated by staff members of any of the following EPA offices since 2008: The Office of Superfund Remediation and Technology Innovation (OSRTI), the Office of Emergency Management (OEM), the Office of Radiation and Indoor Air (ORIA) and the Office of Water (OW).		OGC setting up a consultation with Mr. Guarino. No FOIA online case received. OGC contacting requester for clarification. OGC reassigned to OEM for supplemental search.
9.	EPA HQ 2018 006541	Pearson	All records of the U.S. Environmental Protection Agency ("EPA" or the "Agency") related to the development or release of the Agency's "Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act; Further Delay of Effective Date", 82 Fed. Reg. 13,968 (March 16, 2017) and the Agency's "Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act; Further Delay of Effective Date" 82 Fed. Reg. 16,146 (April 3, 2017).	Date Due: 5/11/18 ECD: Unk	Possible overlap request with EPA HQ 2018 007590. Clarification request sent
10.	EPA HQ 2019 002349	Majumdar	EPA's National Oil and Hazardous Substances Pollution Contingency Plan Rulemaking (RIN 2050-AE87; EPA-HQ-OPA-2006-0090)	Date Due: 4/12/19 ECD: 6/1/19 (extension request pending)	Relativity productions narrowed ~10000 records for review.
11.	EPA HQ 2018 009441	Fowkes	Any expert report or other document that Neil Mulvey authored in connection with any civil case or enforcement case involving the EPA or the United State Department of Justice's Environmental and Natural Resource Division in any region.	Date Due: 9/27/18 ECD: 6/30/19	Need approval for release from RID and DHS. Uploading responsive records and preparing for close out. Discussing with OECA 9/4.
12.	EPA HQ 2018 007592	Berman (now MacKinney)	Any records containing communications regarding the Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act rule (RMP Amendments or Jan. 2017 Chemical Disaster Rule)	Date due: 6/14/18 ECD: unk	Relativity workspace created.

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#	Case Number	Requester	Subject	Date Due/ECD	Next Steps
13.	EPA HQ 2014 007716	Pearson	All communications, including memos, emails, or any other written correspondence, related to the release of the report of the interagency task force on chemical safety ("A Shared Commitment: Improving Chemical Facility Safety and Security") on or around June 6, 2014.	Date Due: 7/22/14 ECD: Unk	Review responsive records for release in FOIA online; include statement in closeout letter "any additional documents; please submit another FOIA"
14.	EPA HQ 2017 005669	Ruch	Administrative stay to delay the effective date of the Accidental Release Prevention Requirements: Risk Management Programs Under The Clean Air Act (RMP Amendments).	Date Due: 6/2/17 ECD: 6/30/19	Contact requester for eDiscovery search criteria; Possible overlap request with EPA HQ 2018 007590. Clarification confirmed 8/1

Correspondence Management System (red indicates overdue; updates in yellow)

CMS Control #	From	Subject	Date Due/ ECD	Signature	Status
AX 19 000 4651	Kulinowski	Reading File - Request for EPA to initiate a review and update for the 1993 Hydrofluoric Acid Study	Date Due: May 9, 2019 (extended) ECD: September 12	OLEM AA	Closed 10/8.
AL 19 000 1425	McEachin +44	Hurricane Responses	Date Due: December 12, 2018 ECD: unk	OLEM AA	For Reg SFDD review 7/30.
AL 19 000 6922	Baldwin, Smith, Booker, Klobuchar, Menendez,	CONCERNS RE: RISK OF THE CONTINUED USE OF HYDROGEN FLUORIDE/ REQUEST TO RE-EVALUATE REFINERY RMPs	Date Due: August 6, 2019 ECD: unk	OLEM AA	Sent to OCIR for approval 10/8
AX 19 000 6575	Whitehouse (PEER)	Reading File - Ban on Hydrofluoric Acid in Refineries	Date Due: August 7, 2019 ECD: N/A	OLEM AA	OBE revised petition submitted see AX 19 000 7363
AX 19 000 7363	Whitehouse (PEER)	Petition for rulemaking in regards to the ban on hydrofluoric acid in refineries	Date Due: August 22, 2019 ECD: September 10	OLEM AA	Preparing draft response; coordinating with OCSPP
AX 19 000 7979	Moore (NEJAC)	Reading File - Recommendations for Promoting Environmental Regulation on Aboveground Storage Tanks	Date Due: October 7, 2019 ECD: N/A	OLEM AA	Preparing draft response

Audits (updates in yellow)

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OA&E-FY18-0109	OIG	EPA Needs to Improve Management of Homeland Security and Emergency Response Equipment		Waiting on final report.
OA&E-FY18-0266	OIG	EPA Needs to Improve Its Emergency Planning to Better Address Air Quality Concerns During Future Disasters	Draft document in final coordination	Exit conference September 26. Waiting on final report..